



UNITED STATES PATENT and TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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Mailed: *5/6/05*

In re application of : DECISION ON
Bernard Dieny : PETITION
Serial No. 09/961,255 :
Filed: September 25, 2001 :
For: Spin Valve Device with Spin-Dependent, :
Specular Electronic Reflection :
:

This is a response to the PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT filed June 30, 2004. The petition requests that the abandonment, as set forth in the Notice of Abandonment of May 4, 2004, for failure to timely file a proper reply to the Office letter mailed on July 11, 2003 be withdrawn. The requester asserts that a timely response was filed on December 11, 2003.

DECISION

The instant request has been accepted as a petition to withdraw the holding of abandonment under the provisions of 37 CFR 1.181 (no fee) - no abandonment-in-fact. A review of the USPTO application file reveals that applicant's response was properly filed on December 11, 2003 in view of the fact that the originally filed papers have been located in the USPTO application file. Accordingly, applicants reply in the form of a two month extension of time, a Request for Continued Examination and request for entry of the after final amendment filed October 14, 2003, has been entered. The prior holding of abandonment is hereby vacated, and the application has been returned to pending status. The application shall be returned to the LIE for entering of the Request for Continued Examination. After such is completed, the case will be returned to the examiner for prompt consideration.

The Petition is GRANTED.

Jacqueline Stone
Jacqueline Stone, Director
Technology Center 1700
Chemical and Materials Engineering

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA VA 22314